

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE DEPARTMENT OF HUMAN SERVICES

In the Matter of the SIRS Appeal of  
TenderCare Home Services

**SECOND  
SCHEDULING ORDER**

This matter came before Administrative Law Judge Manuel J. Cervantes for a Scheduling Conference on June 15, 2009. Corrie A. Oberg, Assistant Attorney General, appeared telephonically on behalf of the Department of Human Services (Department) and Amadue E. Swaray, Esq., appeared telephonically on behalf of TenderCare Home Services (Provider).

The Department requested that the current dates for hearing be rescheduled in light of its intention to file a motion for summary disposition. The Provider did not object to the request. The parties agreed to the schedule set forth below.

**IT IS HEREBY ORDERED:**

1. By 4:30 p.m. on **Monday, July 6, 2009**, the Department will file and serve its summary disposition motion.
2. By 4:30 p.m. on **Monday, July 20, 2009**, the Provider will file and serve its responsive pleadings.
3. By 4:30 p.m. on **Monday, July 27, 2009**, the Department will file and serve its reply.
4. By 4:30 p.m. on **Monday, August 3, 2009**, the Provider will file and serve its reply.
5. In the event that the Department does not prevail in its motion for summary disposition, a hearing in this matter will be held at the St. Paul office of the Office of Administrative Hearings, 600 Robert Street North, on **Tuesday and Wednesday, August 25 and 26, 2009**, commencing at 9:30 a.m., courtroom to be assigned upon arrival at the first floor reception.

Dated: July 1, 2009

s/Manuel J. Cervantes  
\_\_\_\_\_  
MANUEL J. CERVANTES  
Administrative Law Judge

